

## Irish Land (No. 2) Bill.

---

### MEMORANDUM.

Section 13 (3) of the Irish Land Act, 1903, provides as follows:—

“On the sale under the Land Purchase Acts of any land by the Land Commission, or of any land comprised in an estate by the owner of the estate, there shall be reserved in the prescribed manner to the Commission the exclusive right of mining and taking minerals and digging and searching for minerals on or under that land, and the said right shall be disposed of by the Commission in manner hereafter to be provided by Parliament.”

It was decided in the *Earl of Bandon's* estate (40 I.L.T.R., 192) that the Land Commission have no power to dispose of or deal with these rights until they have been authorised to do so by Act of Parliament.

Clause 1 of the Bill is designed to fulfil the intention of the Act of 1903, and proposes to confer upon the Land Commission the necessary powers for disposing of these rights, and also the power to make borings and other experiments for the purpose of ascertaining the value of any such right.

Any profit arising from the disposition of these rights is to be paid into the reserve fund mentioned in section 43 of the Act of 1903.

There are at the present time certain valuable mining rights vested in the Land Commission which it is desirable to enable them to deal with as soon as possible.

Clause 2 proposes an amendment of section 54 of the Act of 1903, which is necessary for the protection of the interests of owners of charges created by will or codicil.





A  
B I L L

TO

Make provision with respect to the Disposal of Mining A.D. 1907.  
Rights under section thirteen of the Irish Land Act,  
1903, and to amend section fifty-four of that Act.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5     1.—(1) The Irish Land Commission may let, lease, sell or demise to any person for his own benefit, in such manner, on such terms, and subject to such conditions as they may think proper, any exclusive right of mining or taking minerals, or digging or searching for minerals, reserved to them under section  
10     thirteen of the Irish Land Act, 1903. As to disposal of mining rights.  
3 Edw. 7.  
c. 37.

(2) For the purpose of ascertaining the value of any such right, the Commission may, either alone or in association with any other persons, make such borings and other experiments, as, in the opinion of the Commission, appear necessary or desirable.

15     (3) Out of the profits arising from any disposition of any such right made by the Land Commission there shall be paid any expenses incurred under the authority of this Act in relation to such right, and any sums advanced out of the reserve fund mentioned in section forty-three of the said Act of 1903 for  
20     payment of those expenses shall be repaid to that fund, and the net profit remaining shall, after deduction of the percentage provided for in subsection three of section thirteen of the said Act be paid into and form part of that fund.

25     2.—(1) The period limited with respect to the registration, in pursuance of subsection four of section fifty-four of the Irish Land Act, 1903, of a charge on a holding created by will or codicil  
[Bill 69.] Amendment  
of 3 Edw. 7.  
c. 37, s. 54 (4)  
with respect  
A

A.D. 1907.

to charges  
created by  
will or  
codicil.

shall be six months from the date of the grant of probate of the will, or letters of administration with the will annexed, as the case may be, and the said section shall have effect as if the said period of limitation were substituted therein for the period of six months from the death of the testator.

5

(2) Such registration shall, within the time limited by this section, be effected, for the benefit of the owner of the charge, by the person becoming beneficially entitled to the holding on the death of the testator.

Short title.

3. This Act may be cited as the Irish Land Act, 1907.

10



# Irish Land (No. 2).

A

## B I L L

To make provision with respect to the Disposal of Mining Rights under section thirteen of the Irish Land Act, 1903, and to amend section fifty-four of that Act.

*Presented by Mr. Attorney-General for Ireland,  
suggested by  
Mr. Birrell.*

*Ordered, by The House of Commons, to be Printed,  
26 February 1907.*

PRINTED BY ELLIS AND WOODWARD,  
PRINTERS, TO THE KING'S MOST EXCELLENT MAJESTY.

And to be printed, with a facsimile of the original Book of the  
Wages and Banns, by the King's Printer, at  
St. Stephen's Green, Dublin, and at  
Oxford and London, by Messrs. W. & A. Gifford,  
Printers, in the Strand, London.

[Price 1d.]

[Bill 60.]

